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OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA

ANTHONY A. WILLIAMS
MAYOR

OCT 29 2004

The Honorable Linda W. Cropp
Chairman
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W., Suite 504
Washington, D.C. 20005

Dear Chairman Cropp:

Enclosed for consideration and enactment by the Council is the "Taxicab and Limousine Services Reform Amendment Act of 2004". This bill will amend the District of Columbia Taxicab Commission Establishment Act of 1985 to abolish the District of Columbia Taxicab Commission ("DCTC") and transfer its duties and responsibilities to a newly-created division within the District of Columbia Department of Transportation ("DCDOT") called the Taxicab and Limousine Services Administration ("TLSA"). The TLSA would be led by an Administrator appointed by the Director of the DCDOT.

In July 2002, the Task Force on Taxicab Reform, which I empanelled to study best practices in the regulation of vehicles-for-hire, concluded that, "in the 17 years since the DCTC was established...while the goal of centralizing regulation of the industry has been accomplished, the effort to achieve efficient regulation and the promotion of policies that would modernize the fleet and improve the quality of service that passengers receive on a consistent basis has fallen far short of the mark." The DCTC structure has proven to be burdensome, inefficient and ineffective. In addition, that structure has not resulted in broad-based industry improvements that allow the District's fleet to compare favorably to those in other major cities in the United States.


Assigning taxicab industry regulation to the TLSA, under the direction of a professional administrator, can lead to greater efficiency, fairness and accountability. There will also be ample opportunity for public input in advance of policy and rulemaking, since the bill authorizes the Administrator to establish advisory panels that will include a broad range of industry representatives and members of the riding public.

I am sure that you share my vision of the Nation's Capital with a vehicle-for-hire fleet that matches our city's international stature. I am confident that, with the enactment

of this bill, we can accomplish that goal and provide a better system for adjudicating complaints relating to taxicab service. This will result in a better experience for those residents, workers and visitors who rely on taxicab service.

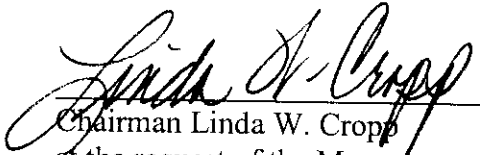
I urge you and your colleagues to take prompt and favorable action on the enclosed legislation.

Sincerely,


Anthony A. Williams

aaw/cat

Enclosures


Chairman Linda W. Cropp
at the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Linda W. Cropp, at the request of the Mayor, introduced the following bill, which was referred to the Committee on _____.

To reform and modernize the regulation of the taxicab industry in the District of Columbia by eliminating the District of Columbia Taxicab Commission and transferring its duties and responsibilities to a new Taxicab and Limousine Services Administration within the District Department of Transportation under the direction of an Administrator of Taxicab and Limousine Services; to provide for the appointment of the Administrator of Taxicab and Limousine Services; to authorize the Administrator of Taxicab and Limousine Services to establish Advisory Committees of stakeholder representatives; to transfer jurisdiction to hear appeals for notices of infractions issued to taxicab operators or owners pursuant to 31 DCMR § 825; to transfer authority for the issuance of annual taxicab licenses; to authorize the Administrator to establish informal dispute resolution procedures and procedures for hearing of contested cases; and, to amend and repeal various provisions of the District of Columbia Taxicab Commission Establishment Act of 1985.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Taxicab and Limousine Services Reform Amendment Act of 2004".

Sec. 2. Taxicab and limousine services reform.

The District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301 *et seq.*) is amended as follows:

(a) Section 2 (D.C. Official Code § 50-301) is amended by repealing paragraphs (3), (7), and (8).

1 (b) Section 3(b) (2) (D.C. Official Code § 50-302(b) (2)) is amended by striking the word
2 “Commission” and inserting in its place the phrase “Taxicab and Limousine Services
3 Administration”.

4 (c) Section 4 (D.C. Official Code § 50-303) is amended as follows:

5 (1) By redesignating the existing paragraph 1 as paragraph 1B and by inserting
6 new paragraphs 1 and 1A as follows:

7 “(1) “Administration” means the Taxicab and Limousine Services
8 Administration established by the Taxicab and Limousine Services Reform Amendment Act of
9 2004.”.

10 “(1A) “Administrator” means the Administrator of the Taxicab and
11 Limousine Services Administration.”.

12 (2) By repealing the existing paragraphs (2) and (3). and

13 (3) By inserting new paragraphs (3B) and (3C) to read as follows:

14 “(3B) “Department” means the District Department of Transportation.”.

15 “(3C) “Director” means the Director of the District Department of
16 Transportation.”.

17 (d) Section 5 (D.C. Official Code (D.C. Official Code § 50-304) is amended to read as
18 follows:

19 “Section 5. Taxicab and Limousine Services Administration; establishment; appointment
20 and qualifications of the Administrator.

21 “(a) There is established the Taxicab and Limousine Services Administration as a
22 subordinate administration within the Department.

23 “(b) The Administration shall have exclusive authority for intrastate regulation of the
24 taxicab industry, limousines and other types of passenger vehicles for hire in the District of
25 Columbia, as provided herein.

1 “(c) The Administration shall operate under the overall supervision of the Director of the
2 Department who shall appoint the Administrator of the Administration.

3 “(d) The Administrator shall be an employee of the District and shall be qualified for the
4 position by education and experience. The Administrator shall, at the time of his or her
5 appointment, have no less than 5 years of professional experience in the planning and
6 management of public transportation services and management at a professional level of a public
7 or private transportation agency or business. The level of compensation of the Administrator
8 shall be determined by the Director and he or she shall serve at the pleasure of the Director.”.

9 (e) Section 6 (D.C. Official Code (D.C. Official Code § 50-305) is repealed.

10 (f) Section 7 (D.C. Official Code (D.C. Official Code § 50-306) is repealed.

11 (g) Section 8 (D.C. Official Code § 50-307) is amended as follows:

12 (1) By amending the section heading to read as follows:

13 “Duties of Administration; jurisdiction; powers; appointment of advisory
14 panels.”;

15 (2) By striking the word “Commission” wherever it appears and inserting the
16 word “Administration” in its place;

17 (3) By striking the phrase “Commission’s Panel on Rates and Rules” wherever it
18 appears and inserting the word “Administration” in its place;

19 (4) By amending subsection (a) (50 D.C. Official Code § 50-307 (a)) to read as
20 follows:

21 “(a)(1) The Administration is charged with the responsibility for the continuance,
22 further development, and improvement of taxicab, limousine, and other passenger vehicle-for-
23 hire services within the District, and the overall regulation of taxicabs, taxicab companies, and
24 taxicab associations, limousines, and other types of passenger vehicles for hire.

1 “(2) The powers and duties of the Administration shall be exercised by and
2 through the Administrator under the overall supervision of the Director.

3 “(3) The Administrator shall have authority to recruit, hire, and assign such
4 personnel as the Administrator determines to be necessary to carry out the duties of the
5 Administration, in accordance with District law and subject to budget limitations.

6 “(4) The Administrator may, at his or discretion, appoint advisory panels of
7 industry representatives, consumer representatives, and such other persons as the Administrator
8 deems necessary, to carry out specific studies, projects, and assignments defined by the
9 Administrator and to provide reports and recommendations to the Administrator.”.

10 (4) By amending subsections (b) and (c) to read as follows:

11 “(b) The Administration shall have original jurisdiction, power, and duty to:

12 “(1) Establish reasonable rates for taxicab service for the transportation of
13 passengers and their property within the District, including all charges incidental and directly
14 related to the provision of taxicab services;

15 “(2) Establish methodologies for the determination of reasonable fares for taxicab
16 service, and reasonable rules regarding the number of taxicabs that may operate in the District,
17 provided that any rules making an industry-wide change in the fare system or setting an industry-
18 wide limit on the number of taxicabs shall be submitted to the Council of the District of
19 Columbia for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days
20 of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or
21 in part, by resolution within this 45-day review period, the proposed rules shall be deemed
22 approved;

23 “(3) Establish criteria, standards, and requirements for taxicab vehicle licensing;

24 “(4) Establish criteria, standards, and requirements for the licensing of taxicab
25 owners, operators, taxicab companies, associations, and fleets, including the setting of reasonable

1 license fees;

2 “(5) Establish standards, conditions, and requirements of taxicab service;

3 “(6) Establish standards for driver and passenger safety;

4 “(7) Establish standards and requirements relating to equipment and equipment
5 design;

6 “(8) In situations of public emergency or because of extraordinary circumstances
7 affecting the taxicab industry, regulate the rates charged for the lease of taxicabs by taxicab
8 companies, associations, and fleets as necessary to protect the public interest;

9 “(9) Establish reasonable civil fines and penalties for violations of rules or orders
10 issued by the Administration, including penalties consisting of license suspension and
11 revocation;

12 “(10) Recommend the establishment of rules relating to the regulation and
13 supervision of the taxicab industry not specifically delineated in this subchapter, so long as the
14 rule is consistent with this subchapter, is reasonable, and is related to the furtherance and
15 protection of the public interest in taxicab transportation;

16 “(11) Advise agencies and authorities of government having jurisdiction over
17 public transportation or public highways and space within the District regarding the routing of
18 taxicabs and the location of taxicab stands within the District; and

19 “(12) Advise the Mayor regarding the entering, modifying, and terminating of
20 reciprocal agreements respecting taxicabs with governmental bodies in the Washington
21 metropolitan area.”.

22 “(c) The Administration, acting by and through the Administrator, shall:

23 “(1) Administer all license examinations applicable to the taxicab industry;

24 “(2) Maintain a system of public records relating to licensed owners and operators
25 of taxicabs and taxicab companies, associations, and fleets;

1 “(3) Administer and enforce all rules, rates, and orders issued under the authority
2 of the Administration applicable to taxicab companies, associations, fleets, taxicab facilities,
3 taxicab dispatch services, and the owners and operators of taxicabs;

4 “(4) Develop, maintain, and keep current under the direction of the Administrator
5 a body of information for use by the public and the District government generally relating to
6 taxicab industry operations within the District, regionally, and nationwide, which information
7 shall include, but not be limited to, statistics, analyses, studies, and projections relating to matters
8 such as revenue, operational costs, passenger carriage, profits, practices, and technologies
9 characterizing the taxi industry; and

10 “(5) Perform any other administrative functions necessary to carry out the
11 purposes of this act.”.

12 (5) New subsections (d), (e) and (f) are added to read as follows:

13 “(d) (1) No later than 180 days after the effective date of this act, the
14 Administrator shall report to the Director on the feasibility of implementing the
15 recommendations set forth in subsection (d)(2) of this section and any other recommendations
16 that the Administrator determines will increase employment and ownership opportunities in the
17 taxicab industry for District of Columbia residents, improve training standards for drivers of
18 District taxicabs, promote modernization of the District’s taxicab fleet or otherwise heighten the
19 quality of service available to patrons of the District of Columbia’s taxicab industry. The report
20 shall include, at a minimum:

21 “(A) A position statement accepting or rejecting the recommendation and setting
22 forth reasons for the position taken;

23 “(B) A description of the steps necessary to implement each accepted
24 recommendation;

25 “(C) A list of public and private entities that must play a role in

1 implementing each accepted recommendation and a description of the required role;

2 “(D) The timeframe for implementation of each accepted recommendation;

3 “(E) An estimate of the overall cost of implementation of each accepted
4 recommendation; and

5 “(F) A description of the potential sources of revenue to meet projected
6 implementation costs of each accepted recommendation.

7 “(2) The Administrator shall consider the following recommendations of the Task
8 Force on Taxicab Reform established pursuant to Mayor's Order 2001-146 (October 3, 2001):

9 “(A) Find a suitable central location for the administrative offices regulating the
10 District's taxicab and limousine industries;

11 “(B) Work with the District's Department of Insurance Securities and Banking, or
12 any successor entity of that agency, in revising taxicab insurance laws and policies to ensure that:
13 insurance policies are filed with the Department, binders instead of certificates are submitted as
14 proof of insurance, mandatory liability coverage is increased to levels determined by the
15 Administrator to be suitable based upon best practices in other major cities in the United States,
16 and that the number of insurers is increased;

17 “(C) Revise the standards for maximum vehicle age, minimum vehicle size, the
18 frequency of vehicle inspection, and vehicle condition;

19 “(D) Review the penalties that are imposed upon drivers, taxicab owners,
20 taxicab associations and organizations that provide radio dispatch services to ensure that they are
21 at a sufficient level to deter wrongful conduct and promote non-discriminatory service to the
22 public;

23 “(E) Establish a system for collecting complete and accurate data from taxicab
24 drivers and companies that will allow the Administrator to effectively monitor the fleet and
25 determine the profile of drivers, individual and company owners, and other organizations that are

1 involved in providing some aspect of taxicab service in the District of Columbia and track
2 compliance activities on the part of the individuals and organizations involved in providing
3 taxicab service;

4 “(F) Establish a pilot program to improve radio dispatch service and implement
5 additional driver safety measures to enhance the likelihood or ensure that more consistent service
6 is provided to areas outside of the downtown area and particularly those in the far northeast and
7 southeast sections of the District of Columbia;

8 “(G) Establish a “Taxicab Step-Up Loan Program” to provide outreach and low
9 interest guaranteed loans to encourage District residents to own and operate taxicabs;

10 “(H) Increase the number of hack inspectors from 9 to a minimum of 20 to
11 improve the rate of compliance with safety and other taxicab standards;

12 “(I) Establish and maintain a hack inspector training program to increase the
13 inspectors’ knowledge of taxicab laws and regulations and heighten their sensitivity to the need
14 that drivers and owners have for respect and fair treatment;

15 “(J) Establish reciprocal agreements with surrounding jurisdictions;

16 “(K) Ensure that taxicab driver training standards include training in the essential
17 elements of good customer service and remedial training for drivers who are repeat offenders or
18 who have repeated violations that bear on their understanding of customer service or passenger
19 safety issues;

20 “(L) Improve signage on the interior of taxicabs so that customers are better
21 informed of current rates and regulations and the rights of passengers;

22 “(M) Provide incentives to drivers and information to the public to promote
23 ridesharing;

24 “(N) Publish, at least 6 times annually, and make available online, a taxi industry
25 newsletter for distribution to drivers, taxicab companies, hospitality industry and government

1 officials informing them of recent news affecting the District's taxicab industry, including, but
2 not limited to, regulatory changes, route changes, openings, closings, major events, technological
3 innovations and other matters that affect the District's taxicab industry; and

4 “(O) Establish an annual event at which the District of Columbia may recognize
5 those who provide superior taxicab service or perform acts or services that have a significant
6 positive impact on the quality of taxicab service provided to passengers in the District of
7 Columbia.

8 “(e) There shall be no less than 12 hack inspectors to be employed in enforcing
9 the present rules and regulations pertaining to taxicabs and any future rules and regulations
10 established. A primary function of the hack inspectors shall be to ensure the proper provision of
11 service and to support safety.

12 “(f) Nothing in this section shall abrogate the authority of officers of the
13 Metropolitan Police Force to enforce and issue citations relating to taxicab requirements.”.

14 (h) Section 9 (D.C. Official Code § 50-308) is repealed.

15 (i) Section 10 (D.C. Official Code § 50-309) is repealed.

16 (j) Section 10b (D.C. Official Code § 50-309.02) is repealed.

17 (k) A new section 10c is added to read as follows:

18 “Section 10c. Ratemaking and rulemaking.

19 “(a)(1) In exercising the ratemaking and rulemaking powers and duties vested in the
20 Administration by section 8 of this act, the Administration shall adhere to and be subject to the
21 requirements of the District of Columbia Administrative Procedure Act, approved October 21,
22 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*) The Administration shall, in giving
23 notice of intended rulemaking action, afford interested persons an opportunity to submit views
24 and data orally during a public hearing, for which adequate notice has been given as required by
25 rules of the Administration.

1 “(2) In any ratemaking proceeding, the decision of the Administrator may be
2 appealed to the Director in accordance with rules issued pursuant to the Taxicab Services Reform
3 Amendment Act of 2004. If no appeal is taken, the decision of the Administrator shall be issued
4 as a Decision and Order of the Administrator, and shall take effect upon publication in the
5 District of Columbia Register. If the decision of the Administrator is appealed, the decision of
6 the Director on the appeal shall be final, shall be issued as a Decision and Order of the Director,
7 and shall take effect upon publication in the District of Columbia Register.

8 “(3) With the exception of rules issued pursuant to the authority vested in the
9 Administration by section 8(b)(1) of this act, proposed rules issued pursuant to the Taxicab
10 Services Reform Amendment Act of 2004 shall be submitted to the Council for a 45-day period
11 of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the
12 Council does not approve or disapprove the proposed rules, in whole or in part, by resolution
13 within the 45-day period, the proposed rules shall be deemed approved.

14 “(b) (1) The Administrator shall undertake a review of the taxicab rate structure at least
15 once every 24 months. In each such review, the Administrator shall gather, record, and analyze
16 data in accordance with the methodologies established pursuant to section 8(b)(2) of this act and
17 shall, at the conclusion of his or her review, file a public report containing his or her findings and
18 recommendations.

19 “(2) The data-gathering and analysis required by paragraph (1) of this subsection
20 shall include, at a minimum:

21 “(A) Data and analysis regarding taxicab operating costs, including
22 increases or decreases in the cost of fuel;

23 “(B) Data and analysis regarding the passenger population, distinguishing
24 among District residents using cabs for multiple purposes, District workers using cabs for work
25 purposes, and District visitors using cabs for work and tourism purposes;

1 “(C) Data and analysis regarding the affordability of current fares and any
2 proposed changes in fares for the passenger population as a whole, and in the passenger
3 categories identified in subparagraph (B) of this paragraph; and

4 “(D) Data and analysis regarding the impact of any proposed changes in
5 fares on the District economy, and particularly the District’s tourism industry.

6 “(3) The Administrator may contract with expert consultants to assist in
7 conducting the rate structure reviews required by this subsection.

8 “(c) (1) Upon completing the taxicab rate structure review required by subsection (b) of
9 this section, the Administrator may initiate a ratemaking proceeding by filing a public notice
10 setting forth the proposed rate change and the economic justification for the proposed rate
11 change.

12 “(2) Any temporary rate change, including any temporary surcharge, shall be
13 subject to the same evidentiary requirements and ratemaking procedures as set forth in this
14 section, except that the Administrator, by rule, may establish abbreviated review periods and
15 procedures in the event of a taxicab rate emergency requiring expedited action. In initiating any
16 such action, the Administrator shall identify the nature of the emergency and state the conditions
17 constituting the emergency.

18 “(d) The Administrator, in the establishment and supervision of the taxicab rate structure,
19 shall balance equitably the interests of owners and operators of taxicabs, taxicab companies and
20 associations, and dispatch services in procuring a maximum rate of return on investment and
21 labor against the public interest in maintaining a taxicab system affordable to a broad cross-
22 section of the public, and shall establish nondiscriminatory rates, charges, matrices, and
23 methodologies for the determination of taxicab fares which assure reasonable and adequate
24 compensation and promote broad and nondiscriminatory public access to taxicab transportation.

25 “(e)(1) A rulemaking proceeding may be initiated by the Administrator at any time that

1 he or she deems necessary, based upon specific, articulable, written evidence of changed
2 conditions, public demand, or recognition of the need to address matters not covered by existing
3 rules. In making determinations regarding the initiation of rulemaking proceedings, the
4 Administrator shall give due consideration to written and oral requests and representations made
5 to the Administration by taxicab industry participants, representatives of the District's tourism
6 industry, consumers of taxicab services, and the public generally.

7 “(f) The Administrator shall have 45 days, excluding Saturdays, Sundays, and legal
8 holidays, to act upon rulemaking and ratemaking matters following the completion of the public
9 hearing and the closing of the public record in each such matter. Rulemaking and ratemaking
10 matters that are not acted upon by the Administrator within the time period specified in this
11 subsection may be acted upon by the Director.”.

12 (l) A new section 10d is inserted to read as follows:

13 “Section 10d. Complaints and adjudication.

14 “(a) Consumer and industry complaints may be filed with the Administrator against
15 taxicab owners, operators, companies, associations, fleets, and radio dispatch operations.
16 Complaints shall be submitted in writing and signed and dated by the complainant, and shall
17 state the nature of the complaint and identify the person or entity who is the subject of the
18 complaint.

19 “(b) Upon receiving a complaint, the Administrator shall determine:

20 “(1) Whether the matter is likely to be resolved through an informal
21 dispute resolution procedure pursuant to subsection (c) of this section, in which case the
22 Administrator shall refer the matter for dispute resolution;

23 “(2) Whether the matter involves service or conduct by a person,
24 company, or business not under the jurisdiction of the Administration, in which case the
25 Administrator shall refer the complaint to any other appropriate agency for investigation and

1 resolution; and

2 “(3) Whether the matter is a contested case or other administrative
3 adjudicative proceeding, in which case the Administrator shall refer the matter for a contested
4 hearing pursuant to subsection (c) of this section.

5 “(c) The Administrator is authorized to appoint one or more attorneys, as needed, to serve
6 as hearing examiners to adjudicate consumer and industry complaints filed against taxicab
7 owners, operators, companies, associations, fleets, and radio dispatch operations. The hearing
8 examiner shall hear and decide appeals taken from notices of infractions issued to taxicab
9 operators or owners pursuant to 31 DCMR 825, license denials and proposed revocations or
10 suspensions issued by the Administration, and may:

11 “(1) Preside over a hearing in a contested matter;

12 “(2) Compel the attendance of a witness by subpoena;

13 “(3) Administer an oath, take testimony of a witness under oath, and
14 dismiss, rehear, or continue a case;

15 “(4) Conduct hearings in accordance with Chapter 4 of Title 31 of the
16 District of Columbia Municipal Regulations (Taxicabs and Public Vehicles for Hire) (31 DCMR
17 Chapter 4); and

18 “(5) Adjudicate consumer complaints filed pursuant to Chapter 7 of Title
19 31 of the District of Columbia Municipal Regulations (Taxicab and Public Vehicles for Hire) (31
20 DCMR Chapter 7).

21 “(d) Notwithstanding any other provision of this act, the Administrator may immediately
22 suspend a license issued under the authority of this act where the Administrator has determined
23 that an imminent danger is posed to the public. Within 3 days of the issuance by the
24 Administrator of an immediate suspension, a hearing shall be held on the suspension in
25 accordance with rules issued by the Administrator.

1 “(e) The Administrator, by rule, shall establish procedures for hearing contested cases,
2 including procedures for expedited hearings following immediate suspensions, and an informal
3 dispute resolution procedure for the resolution of complaints of a minor nature. Any proposed
4 rules issued pursuant to this subsection shall be submitted to the Council for a 45-day period of
5 review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council
6 does not approve or disapprove the proposed rules, in whole or in part, by resolution within the
7 45-day period, the proposed rules shall be deemed approved.”.

8 (m) Section 11 (D.C. Official Code § 50-310) is amended to read as follows:

9 “Section 11. Rules; annual report.

10 “(a) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure
11 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*) shall issue
12 rules to implement the provisions of the Taxicab Services Reform Amendment Act of 2004.
13 Any proposed rules issued pursuant to this subsection shall be submitted to the Council for a 45-
14 day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess.
15 If the Council does not approve or disapprove the proposed rules, in whole or in part, by
16 resolution within the 45-day period, the proposed rules shall be deemed approved.

17 “(b) The Administrator shall make an annual report to the Mayor and the Council on or
18 before the 2nd Monday of January of each year. The report shall include, at a minimum,
19 information and statistics related to licensing, enforcement, the status of taxicab equipment,
20 estimated industry revenues, and passenger carriage, and shall outline briefly the activities and
21 goals of the Administration.”.

22 (n) Section 12 (D.C. Official Code § 50-311) is repealed.

23 (o) Section 13 (D.C. Official Code § 50-312) is repealed.

24 (p) Section 14 (D.C. Official Code § 50-313) is amended by striking the word "Mayor"
25 where ever it appears and substituting in lieu thereof the word "Administrator".

1 (q) Section 17 (D.C. Official Code § 50-316) is repealed.

2 (r) Section 18 (D.C. Official Code § 50-317) is repealed.

3 (s) Section 19 (D.C. Official Code § 50-318) is repealed.

4 (t) Section 20 (D.C. Official Code § 50-319) is amended by striking the word
5 “Commission” wherever it appears and inserting the word “Administration” in its place.

6 (u) Section 20a (D.C. Official Code § 50-320) is amended by adding, at the end, a new
7 subsection (g) to read as follows:

8 “(g) On and after the effective date of the Taxicab and Limousine Services
9 Reform Amendment Act of 2004, the duties and responsibilities set forth in this section shall be
10 transferred to the Administration.”.

11 (v) Section 20b (D.C. Official Code § 50-321(b) (2)) is amended to read as follows:

12 “(b)(2) A portion of the Fund may be allocated for administrative support of the
13 Fund, including expenditures related to the audit required by subsection (d) of this section.”.

14 (w) Section 20c(a) (D.C. Official Code § 50-322 (a)) is amended by striking the phrase
15 “Taxicab Commission” and inserting the phrase “Taxicab and Limousine Service
16 Administration” in its place.

17 (x) A new section 20d is added to read as follows:

18 “Section 20d. Transitional provisions.

19 “(a) The personnel, records, property, and unexpended balances of appropriations and
20 other funds which relate to the functions of the District of Columbia Taxicab Commission are
21 transferred to the Administration established by the Taxicab and Limousine Services Reform
22 Amendment Act of 2004.

23 “(b) Members of the District of Columbia Taxicab Commission abolished by the Taxicab
24 and Limousine Services Reform Amendment Act of 2004 shall serve until the expiration of their
25 terms, or until the establishment of the Administration and appointment of the Administrator,

1 whichever occurs first.

2 “(c) No suit, action, or other judicial proceeding lawfully commenced by or against the
3 District of Columbia Taxicab Commission, or against any of its members, officers, or employees
4 acting in their official capacities, shall abate by reason of the taking effect of the Taxicab and
5 Limousine Services Reform Amendment Act of 2004, but the court or agency, unless it
6 determines that survival of the suit, action, or other proceeding is not necessary for the purposes
7 of settlement of the question involved, shall allow the suit, action, or other proceeding to be
8 maintained, with appropriate substitutions of parties.

9 “(d) No disciplinary action against any member of the taxicab industry subject to the
10 jurisdiction of the District of Columbia Taxicab Commission, or other administrative action or
11 proceeding lawfully commenced shall abate solely by reason of the taking effect of the Taxicab
12 and Limousine Services Reform Amendment Act of 2004, but the action or proceeding shall be
13 continued with substitutions as to parties and officers or agencies as appropriate.

14 “(e) Except as otherwise provided in the Taxicab and Limousine Services Reform
15 Amendment Act of 2004, all rules and orders promulgated by the District of Columbia Taxicab
16 Commission and its subsidiary panels shall continue in effect, to the extent they are consistent
17 with this act, until such time as they may be amended, repealed, or superseded by rules or orders
18 of the Administrator, the Director, or the Mayor.”.

19 Sec. 3. Conforming amendments.

20 (a) Section 6(b)(3) of the Office of Administrative Hearings Establishment Act of 2001,
21 effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03(b)(3)) is repealed.

22 (b) Section 2502 of the Fiscal Year Budget Support Act of 2001, effective October 3,
23 2001 (D.C. Law 14-28; D.C. Official Code § 50-332) is amended by striking the phrase “Taxicab
24 Commission” wherever it appears and inserting the phrase “Taxicab and Limousine Services
25 Administration” in its place.

1 (c) Title 47 of the D.C. Official Code is amended as follows:

2 (1) Section 47-2829(c) is amended by striking the last sentence.

3 (2) Section 47-2829(d) is amended as follows:

4 (A) By striking the phrase "District of Columbia Taxicab Commission"
5 wherever it appears and inserting in its place the phrase "Taxicab and Limousine Services
6 Administration";

7 (B) By striking the last sentence.

8 (3) Section 47-2829(e)(1) is amended by striking the phrase "District of Columbia
9 Taxicab Commission" wherever it appears and inserting in its place the phrase "Taxicab and
10 Limousine Services Administration";

11 (4) Section 47-2829(e)(2)(A) is amended:

12 (A) By striking the phrase "Office of Taxicabs" in the second sentence and
13 inserting in its place the phrase "Taxicab and Limousine Services Administration"; and

14 (B) By amending the fourth sentence to read as follows:

15 "The Administrator of the Taxicab and Limousine Services
16 Administration shall designate appropriate representatives of the Taxicab and Limousine
17 Services Administration and representatives of the taxicab industry to advise the University on
18 problems and issues facing the taxicab industry and to assist in developing and implementing the
19 course, and the Mayor shall designate appropriate representatives of the Metropolitan Police
20 Department to participate on the advisory board."

21 (5) Section 47-2829(e)(2)(C) is amended, in the second sentence, by striking the
22 phrase "The Office of Taxicabs under the direction of the District of Columbia Taxicab
23 Commission" and inserting in its place the phrase "The Administrator of the Taxicab and
24 Limousine Services Administration."

25 (6) Section 47-2829(e-1) is amended:

1 (A) By striking the phrase “The District of Columbia Taxicab
2 Commission, through its Panel on Adjudication,” in the first sentence, and inserting in its place
3 the phrase “The Taxicab and Limousine Services Administration.”.

4 (B) By amending the fourth sentence to read as follows:

5 “The record maintained by the Taxicab and Limousine Services
6 Administration for each licensee shall be assigned the point value for the violation upon the final
7 determination of liability by the governmental body charged with making a final determination
8 of liability.”; and

9 (C) By striking the phrase “Office of Taxicabs” in the fifth sentence and
10 inserting in its place the phrase “Taxicab and Limousine Services Administration”.

11 (7) Section 47-2829(e-2) is amended by adding, at the end, a new sentence to read
12 as follows:

13 “On the effective date of the Taxicab and Limousine Services Reform
14 Amendment Act of 2004, the duties set forth in this subsection for the Office of Taxicabs and the
15 District of Columbia Taxicab Commission shall be transferred to the Taxicab and Limousine
16 Services Administration.”;

17 (8) Section 47-2829(e-3) is amended by striking the phrase “The District of
18 Columbia Taxicab Commission’s Panel on Rates and Rules” and inserting in its place the phrase
19 “The Taxicab and Limousine Services Administration”;

20 (9) Section 47-2829(e-4) is amended by adding, at the end, a new sentence to read
21 as follows:

22 “On the effective date of the Taxicab and Limousine Services Reform
23 Amendment Act of 2004, the duties set forth in this subsection for the Office of Taxicabs and the
24 District of Columbia Taxicab Commission shall be transferred to the Taxicab and Limousine
25 Services Administration.”; and

1 (10) Section 47-2829(i) is amended, in the penultimate sentence by striking the
2 phrase "Office of Taxicabs" and inserting in its place the phrase "Taxicab and Limousine
3 Services Administration."

4 (d) Section 104(b)(6) of the Traffic Adjudication Act of 1978, effective September 12,
5 1978 (D.C. Law 2-104; D.C. Official Code 50-2301.04(b)(6)) is repealed.

6 Sec. 4. Fiscal impact.

7 The Council adopts the fiscal impact statement in the committee report as the fiscal
8 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
9 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

10 Sec. 5. Effective date.

11 This act shall take effect following approval by the Mayor (or in the event of veto by the
12 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
13 provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December
14 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c)(1)), and publication in the District of
15 Columbia Register.